

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Case No. 1:18-cv-910

THERESA SCHMITZ,	)	
	)	
Plaintiff,	)	
	)	AFFIDAVIT OF
v.	)	JESSICA CHEAP
	)	
ALAMANCE-BURLINGTON	)	
BOARD OF EDUCATION,	)	
	)	
Defendant.	)	

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I, Jessica Cheap, having been duly sworn, do hereby state as follows:

1. My name is Jessica Cheap. I am a citizen and resident of Alamance County, North Carolina. I am not a minor. I am under no legal disability. I am fully competent to make this Affidavit, which is based on my own personal knowledge.

2. I have been employed by the Alamance-Burlington Board of Education as a teacher since 2011. I have been a fifth grade teacher at B. Everett Jordan Elementary since the 2017-2018 school year.

3. I was a fourth and fifth grade teacher at Sylvan Elementary from 2011 to 2017.

4. During the 2016-17 school year, I was a fourth grade teacher at Sylvan, along with Theresa Schmitz and Rachael Brooks.

5. We had conversations as a grade level team and with the academic coach at the school about how it is a best practice to collaborate as teachers so that instruction can be consistent from one classroom to another across the grade level.

6. While Ms. Brooks and I sought to align our lessons and use consistent strategies for instruction, Ms.

Schmitz would utilize different teaching strategies, and was resistant to change her strategies when it was brought to her attention.

7. As a team, we also had decided to divide up lesson planning duties. However, Ms. Schmitz would not carry out her assigned lesson planning, and often would miss meetings where we sought to discuss our lesson plans.

8. Ms. Brooks and I ultimately stopped attempting to collaborate with Ms. Schmitz on lesson planning.

9. This was very much out of the ordinary for Sylvan - as a school, a primary focus was on collaboration and ensuring that teaching was aligned among classrooms.

10. While Ms. Schmitz would attend some required weekly planning meetings, she would come unprepared and was unengaged in the meetings.

11. I also observed several students who were regularly sent out of Ms. Schmitz's classroom for disciplinary reasons. These same students would often be removed from instruction several times a week.

12. I raised concerns about Ms. Schmitz's failure to engage in lesson planning, the inconsistency of her educational practices, and her practice of sending students out of her classroom with the school principal, Mark Gould.

Further the affiant sayeth not.

This the 31<sup>st</sup> day of March 2021.

  
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Jessica Cheap

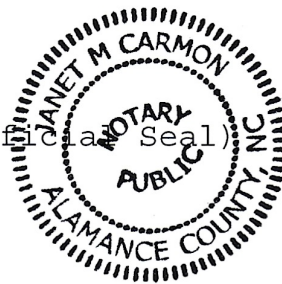
STATE OF NORTH CAROLINA

COUNTY OF ALAMANCE

Sworn to and subscribed before me  
this 31 day of March, 2021.

Janet M. Carmon Janet M. Carmon  
Notary Public

(Official Seal)



My Commission Expires: August 30, 2024